

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 BRIAN CORTLAND,

9 Plaintiff,

10 v.

11 PIERCE COUNTY,

12 Defendant.

CASE NO. C20-5155RJB

ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION
OF ORDER GRANTING SUMMARY
JUDGMENT

13 This matter comes before the Court on the above-referenced motion (Dkt. 26).

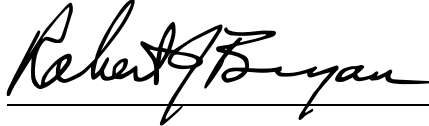
14 The Court is now, and was at the time it issued the Order Granting Summary Judgment,
15 aware of the burden of proof found in the Washington Public Records Act. Plaintiff overlooks
16 the fact that the case came to the Court on a Stipulated Statement of Facts for the Record (Dkt.
17 12), which in its attachments clearly showed the Defendant's basis for its action. (*See* Dkts. 12-3
18 & 12-4 in particular.) The Court accepted the facts agreed by the parties and the stipulated facts
19 clearly, in the Court's opinion, fulfilled the County's burden of proof. "The burden is on the
20 agency to show a withheld record falls within an exemption and the agency is required to
21 identify the document itself and explain how the specific exemption applies in its response to the
22 request." *Neighborhood Alliance of Spokane County v County of Spokane*, 172 Wash.2d 702,
23 715 (2011); RCW 42.56.550(1). The burden of proof found in RCW 42.56.550(1) was satisfied
24

1 by the agreed facts in Docket Number 12 and its attachments. Plaintiff fails to show manifest
2 error in the Court's prior ruling, or any other basis for reconsideration. *See* Western District of
3 Washington Local Civil Rule 7(h).

4 Therefore, the Plaintiff's Motion for Reconsideration of Order Granting Motion for
5 Summary Judgment (Dkt. 26) is hereby DENIED.

6 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
7 to any party appearing pro se at said party's last known address.

8 Dated this 6th day of October, 2020.

9 

10 ROBERT J. BRYAN
11 United States District Judge
12
13
14
15
16
17
18
19
20
21
22
23
24